

CAROL J. BERNICK, OSB #894098

carolbernick@dwt.com

CAROL A. NOONAN, OSB #024075

carolnoonan@dwt.com

DAVIS WRIGHT TREMAINE LLP

1300 S.W. Fifth Avenue, Suite 2300

Portland, OR 97201

Tel: (503) 241-2300

Fax: (503) 778-5299

Attorneys for Defendants

Daniel K. Le Roux, OSB #085510

DANIEL K LE ROUX, AAL, PC

1000 SW Broadway, Ste. 2200

Portland, OR 97205

Tel: (503) 243-4545

Fax: (503) 243-4546

Email: lawleroux@gmail.com

Attorney for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

AT PORTLAND

KIMERIE LARMANGER, an individual,

PLAINTIFF,

v.

**KAISER FOUNDATION HEALTH PLAN
OF THE NORTHWEST d/b/a KAISER
PERMANENTE; KAISER FOUNDATION
HEALTH PLAN, INC.; JUSTIN
MCGOWN; and SHAWN FERGUSON,**

DEFENDANTS.

Case No. 3:11-CV-00089-BR

JUDGMENT

This matter came before the court for hearing on defendants' motion for summary judgment on June 6, 2012 and again on August 1, 2012. On September 7, 2012, the court

granted defendants' summary judgment motions as to Claims 1, 2, 4, 5, 6, 7 and 8. Before the summary judgment motion was filed, plaintiff agreed to withdraw Claim 3. After the summary judgment motion was granted, pursuant to a settlement agreement, plaintiff agreed to withdraw Claim 9. On December 6, 2012, the court ordered the parties to file a form of Judgment reciting the specific resolution of each claim. Plaintiff's claims are resolved as follows:

Claim 1: Defendants' Motion for Summary Judgment granted.

Claim 2: Defendants' Motion for Summary Judgment granted.

Claim 3: Voluntarily withdrawn.

Claim 4: Defendants' Motion for Summary Judgment granted.

Claim 5: Defendants' Motion for Summary Judgment granted.

Claim 6: Defendants' Motion for Summary Judgment granted.


Claim 7: Defendants' Motion for Summary Judgment granted.

Claim 8: Defendants' Motion for Summary Judgment granted.

Claim 9: Voluntarily withdrawn.

NOW THEREFORE, IT IS ORDERED AND ADJUDGED that defendants are entitled to summary judgment on Claims 1, 2, 4, 5, 6, 7 and 8, that plaintiff has withdrawn claims 3 and 9 and those claims are therefore dismissed with prejudice, and that judgment is entered in favor of defendants.

Dated this 28th day of December, 2012.



HON. ANNA J. BROWN
U.S. District Court Judge